

The Kentucky Board of Ophthalmic Dispensers
May 16, 2012

A regular meeting of the Kentucky Board of Ophthalmic Dispensers was conducted May 16, 2012, at the Office of Occupations and Professions, 911 Leawood Drive, Frankfort, Kentucky.

Members Present

Granville Smith, Chairman
Dr. Kevin Stallard
Melanie Abner, Secretary

Occupations and Professions Staff Present

Lindsey Lane, Board Administrator

Others Present

LaTasha Buckner, Deputy Executive Director of the Office of Legal Services

Members Absent

Charlotte Whittaker
Dr. Gary Wortz

Call to Order

Chairman Smith called the meeting to order at 10:00 a.m.

Review of Financial Statements

The Board reviewed their Financial Statement for March and April.

O&P Report

LaTasha Buckner of the Office of Legal Services with the Public Protection Cabinet presented the Board with their Memorandum of Agreement between the Board and the Office of Occupations and Professions. This agreement will last for two years and the Board may remove themselves from the contract at any time. Ms. Abner made a motion to approve the terms and agreements listed in the MOA and have Chairman Smith sign on behalf of the Board. Dr. Stallard seconded that motion and it carried.

Board Counsel Report

Mr. West informed the Board there is an ongoing civil case against Funk E Fusion and he has reached an agreement with their attorney. The company (Funk E Fusion) is willing to settle for a fine of \$2,500.00 and Mr. West also stated he would require the company to place an admission in their agreed order stating that they did sell the contact lenses in their stores but would not do it again. Mr. West informed the Board that they'd like to make the payment in three installments if the Board would allow them to do so. Ms. Abner made a motion to accept the offer. Dr. Stallard seconded that motion and it carried.

Ophthalmic Inspector Report

Mr. Brentlinger was unable to attend the May Board meeting but submitted all reports for the Board to review. Mr. Brentlinger found the Wal-Mart Vision Center in Campbellsville, Kentucky to be in compliance with state laws and regulations. An employee of the vision

center informed Mr. Brentlinger that there was a business selling color contact lenses without a prescription. On May 15th Mr. Brentlinger checked on the complaint at the Peddler's Mall in Campbellsville. All though Mr. Brentlinger could not find any contact lenses being sold he informed the employees that this is against the law and left a letter for the manager that Mr. West created that gives an explanation of what can and will happen if a store chooses to sell the lenses without a prescription.

Mr. Brentlinger stopped by another store that had been mentioned by the Wal-Mart Vision Center for selling the color contact lenses without a prescription called Brandy's Wigs and Beauty Supply. Upon entering the store Mr. Brentlinger saw the display and informed the employees that selling the contacts were illegal and the display needed to be taken down immediately. He explained that the state would send a letter explaining the severity of these sales and also left a copy of the letter that Mr. West created. The employees took the display down as Mr. Brentlinger was leaving the establishment.

Mr. Brentlinger also reported on a situation with several Wal-Mart Vision Centers in the surrounding areas. His first stop was to the Vision Center in Hazard, Kentucky. While there Mr. Brentlinger noticed that the store opens at 9:00am but an Optician does not begin working until 10:00am, which leaves an Apprentice working alone. The Manager of the center explained that there is no dispensing until the Optician arrives but Mr. Brentlinger recommended asking for time cards for all employees at the center to see who is working that hour before the Optician arrives and how they're conducting business if a sponsor is not available for assistance. Mr. Brentlinger also noticed that an Apprentice that is listed as working in the Hazard store is sponsored by someone that works in the Paintsville store. Other than this issue everything with the Paintsville store was in compliance.

Mr. Brentlinger also stopped in to check on the Wal-Mart Vision Center in Pikeville and another store named The Eye Sight where he noted in his report that both optical stores were in compliance. The Boards legal counsel will follow up with the time card issue and address all stores that were selling the color contact lenses with a prescription.

Ms. Abner made a motion for Mr. Brentlinger to receive full reimbursement for any purchases made regarding an investigation. Dr. Stallard seconded that motion and it carried.

Licensure Status Report

Ms. Lane informed the Board that as of May 16, 2012 there are now 152 Apprentice Ophthalmic Dispenser, 635 Active Ophthalmic Dispensers, and 99 Inactive Ophthalmic Dispensers.

Approval of Apprentice Applications

Ms. Abner made a motion to approve the following Apprentice Applications:

1. Lakisha Washington – Wal-Mart Vision Center, Florence, KY
2. Nicholas Jones – Dr. Bizer's Vision World, Louisville, KY
3. Jacqueline Hall – Korrect Optical, Louisville, KY
4. Jennifer Perry – Wal-Mart Vision Center, Frankfort, KY

5. Adam Kenner – Wal-Mart Vision Center, Berea, KY
6. Tracy Sams – Physicians Eye Center, Owensboro, KY
7. James Hoskins – Wal-Mart Vision Center, Ft. Wright, KY
8. Tina DeBerge – Lenscrafters, Crestview Hills, KY
9. Caren Scobey – Wal-Mart Vision Center, Elizabethtown, KY
10. Bradley Perry – Wal-Mart Vision Center, Corbin, KY
11. JoAnne Thompson – Clear Sight Optometry, Richmond, KY
12. Anntoinette Dorsey – Wal-Mart Vision Center, Louisville, KY
13. Le’Bradford Manning – Sam’s Club, Louisville, KY
14. Tracy Fulton – Wal-Mart Vision Center, Ft. Wright, KY
15. Whitney Smith – Carl Zeiss Vision, San Diego, CA

Dr. Stallard seconded that motion and it carried.

Additional Business

Chairman Smith gave an update on the National Practical Exam. Florida and Arkansas have used the National Exam and have given the NCSORB great feedback from their experience. The Kentucky Board hopes to have the National Practical Exam in place by the November exam date.

Approval of Travel and Per Diem

Ms. Abner made a motion to approve travel and per diem for members that attended today’s meeting. Travel and per diem will also be approved for any members that attend the hearing regarding the new regulations that the Board is putting into place. Dr. Stallard seconded that motion and it carried.

Next Meeting

The Board will meet again on Wednesday, July 18, 2012 at the Office of Occupations and Professions. The Practical Exam will be given to all applicants that meet the requirements at 1:00pm that same day.

Adjournment

Ms. Abner made a motion to adjourn the meeting at 11:05am. Dr. Stallard seconded that motion and it carried.



Granville Smith, Chairman